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FM AMEMBASSY PORT AU PRINCE
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4914
INFO RUEATRS/DEPT OF TREASURY WASHDC PRIORITY
RUEHZH/HAITI COLLECTIVE
RUEHBR/AMEMBASSY BRASILIA 1336
RUEHSA/AMEMBASSY PRETORIA 1172
RUMIAAA/HQ USSOUTHCOM J2 MIAMI FL
RUCOWCV/CCGDSEVEN MIAMI FL//OLE/OI//

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SENSITIVE
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STATE FOR WHA/CAR
DRL
S/CRS
SOUTHCOM ALSO FOR POLAD
STATE PASS AID FOR LAC/CAR
INR/IAA (BEN-YEHUDA)
TREASURY FOR JEFFREY LEVINE

E.O. 12958: N/A
TAGS: [PGOV](#) [PINR](#) [HA](#)
SUBJECT: PRESIDENTIAL SUCCESSION

REF: PAP 2323

11. This message is sensitive but unclassified -- protect accordingly.

12. (U) President Preval's admission that he is undergoing treatment for recurring prostate cancer (reftel) has refocused Haitian's attention on the constitutional provisions for succession to the presidency, only three years since the last succession crisis resulting from President Aristide's resignation in February 2004. Article 148 of the Haitian constitution stipulates that in the event that the president temporarily cannot discharge his duties, the Council of Ministers (cabinet), presided over by the Prime Minister, assumes his duties. Article 149 states that in the case of a "permanent vacancy" in the presidency, the chief justice of the supreme court or the ranking judge assumes the office, after confirmation by the national assembly (legislature). The government must then convene a presidential election no sooner than 45 days and no later than 90 days after the interim president's confirmation. (Note: Interim President Boniface Alexandre's tenure was thus extra-constitutional on two counts, not having been confirmed by the national assembly, which failed to convene the last year of Aristide's presidency, and lasting over two years. End Note.) Because Preval has not named a new chief justice, the court's vice president, George Moise, would succeed to the presidency if Preval were unable to finish his term. Preval may appoint a new chief justice at any time, and his appointment is not subject to confirmation.

13. (SBU) Preval on December 10 gave a surprisingly frank and detailed account of his health upon his most recent return from Cuba. His statement quelled much of the rumor-mongering and allayed our own fears, noted in reftel, that his government would botch the management of public information regarding his health. Since Preval has demonstrated that he remains able to govern for the foreseeable future, Haitians seem to have taken a collective breath and considered a possible presidential succession further down the line. Unlike the last succession crisis precipitated by Aristide, Haiti has a duly confirmed cabinet and an elected parliament in place, and an electoral apparatus, supported by MINUSTAH logistics and troops, that has successfully completed three rounds of elections in the past nine months. While no

Haitian is sanguine about the impact of Preval's health on the climate for stability in Haiti, the country does have the institutions in place to effect a peaceful succession.

SANDERSON